

C Community Development Committee

For the Metropolitan Council meeting of June 27, 2012

Item: 2012-199

June 18, 2012

Date Prepared:

Subject: Master plan amendment of boundary for Above the Falls Regional Park and approval of FY 2012 and FY 2013 Parks and Trails Legacy Fund financed grants, Minneapolis Park & Recreation Board

Proposed Action:

That the Metropolitan Council:

1. Approve the Above the Falls Regional Park Master Plan Amendment regarding the Scherer Lumber Company Site (Referral No. 50024-1).
2. Approve the following grants from the Minneapolis Park & Recreation Board's share of FY 2012 and FY 2013 Parks and Trails Legacy Fund appropriations to finance the acquisition costs of Parcels B and C as depicted in Figure 2.

Parks & Trails Legacy Fund	Grant
FY 2012	\$1,469,000
FY 2013	\$1,429,970

Summary of Committee Discussion / Questions:

The Committee discussed the proposed construction of Hall's Island shown in the master plan amendment. Metropolitan Council staff noted that the island existed at one time and that a concept to create it was being considered in the updated master plan for all of Above the Falls Regional Park. That updated master plan would be presented to the Metropolitan Council for its consideration in early 2013. The island may or may not be proposed in that master plan. Council member Wulff noted that this recommendation was limited to considering amending the park boundary to include a portion of the former Scherer Lumber parcel and to award grants to finance that additional land acquisition.

The Committee unanimously approved the recommendation.

C Community Development Committee
Meeting date: June 18, 2012
For the Council Meeting of June 27, 2012

ADVISORY INFORMATION

Date:	June 11, 2012
Subject:	Master plan amendment of boundary for Above the Falls Regional Park and approval of FY 2012 and FY 2013 Parks and Trails Legacy Fund financed grants, Minneapolis Park & Recreation Board
District(s), Member(s):	Metropolitan Council District 8, Adam Duininck
Policy/Legal Reference:	MN Statute 473.313 and 473.315
Staff Prepared/Presented:	Arne Stefferud; Planning Analyst—Parks (651-602-1360)
Division/Department:	Community Development Division, Parks

Proposed Action

That the Metropolitan Council:

1. Approve the Above the Falls Regional Park Master Plan Amendment regarding the Scherer Lumber Company Site (Referral No. 50024-1).
2. Approve the following grants from the Minneapolis Park & Recreation Board's share of FY 2012 and FY 2013 Parks and Trails Legacy Fund appropriations to finance the acquisition costs of Parcels B and C as depicted in Figure 2.

Parks & Trails Legacy Fund	Grant
FY 2012	\$1,469,000
FY 2013	\$1,429,970

Background

The Minneapolis Park & Recreation Board (MPRB) has submitted a master plan amendment that expands the boundary of Above the Falls Regional Park to include an additional 2.89 acres of the 11.36 acre Scherer Lumber Company parcel that was acquired in 2010 under a 4-year contract for deed agreement. The total area within the amended park boundary is 7.81 acres. Of that amount, 3.57 acres was financed with a 2010 Park Acquisition Opportunity Fund grant and match provided by the MPRB. The master plan amendment proposes financing the costs of the remaining 4.24 acres with \$1,469,000 from the MPRB's share of the FY 2012 Parks and Trails Legacy Fund appropriation and \$1,429,970 from the MPRB's share of the FY 2013 Parks and Trails Legacy Fund appropriation.

Rationale

The master plan amendment is consistent with the *2030 Regional Parks Policy Plan* and does not impact other Council systems.

Funding

As noted above, the acquisition costs for 4.24 acres of land within the master plan amendment would be financed with two grants totaling \$2,898,970 from the MPRB's share of FY 2012 and 2013 Parks and Trails Legacy Fund appropriations.

Development of the amended park boundary area and a proposed man-made island is estimated to cost \$23,329,598 under the assumption of annual inflation of 4%, plus contingency and soft costs of 40%. More refined costs will be provided in an updated master plan for the entire Above the Falls Regional Park, which is projected to be completed in early 2013. A portion of these costs within the constraints of the Metropolitan Council Regional Park Capital Improvement Program (CIP) are eligible for funding consideration from the CIP when the updated master plan is approved by the Metropolitan Council. However, Council approval of the updated master plan does not obligate future funding from the Regional Parks CIP to finance those costs. Plan approval only allows the MPRB to seek funding for projects in the plan through the Regional Parks CIP.

Known Support / Opposition

The Metropolitan Parks and Open Space Commission considered the master plan amendment and related acquisition grants at its meeting on June 5, 2012 and unanimously recommended that they be approved.

METROPOLITAN COUNCIL

390 North Robert Street, St. Paul, MN 55101
Phone (651) 602-1000 TDD (651) 291-0904

DATE: May 25, 2012

TO: Metropolitan Parks and Open Space Commission

FROM: Arne Stefferud, Planning Analyst-Parks (651-602-1360)

SUBJECT: (2012-199) Master plan amendment of boundary for Above the Falls Regional Park and approval of FY 2012 and FY 2013 Parks and Trails Legacy Fund financed grants, Minneapolis Park & Recreation Board
Metropolitan Parks & Open Space Commission District D: Jeffrey Lee

INTRODUCTION

The Minneapolis Park & Recreation Board (MPRB) has submitted a master plan amendment that expands the boundary of Above the Falls Regional Park to include an additional 2.89 acres of the 11.36 acre Scherer Lumber Company parcel that was acquired in 2010 under a 4-year contract for deed agreement. The total area within the amended park boundary is 7.81 acres. Of that amount, 3.57 acres was financed with a 2010 Park Acquisition Opportunity Fund grant and match provided by the MPRB. The master plan amendment proposes financing the costs of the remaining 4.24 acres with \$1,469,000 from the MPRB's share of the FY 2012 Parks and Trails Legacy Fund appropriation and \$1,429,970 from the MPRB's share of the FY 2013 Parks and Trails Legacy Fund appropriation.

This memorandum analyzes the master plan amendment against the criteria for reviewing regional park master plans. It recommends approving the master plan because it is consistent with applicable portions of the *Updated 2030 Regional Parks Policy Plan*.

AUTHORITY TO REVIEW

Minnesota Statute 473.313, Subdivision 1 requires Regional Park Implementing Agencies to, "...prepare, after consultation with all affected municipalities, and submit to the Metropolitan Council, and from time to time revise and resubmit to the council, a master plan and annual budget for the acquisition and development of regional recreation open space located within the district or county, consistent with the council's policy plan." (i.e., the *2030 Regional Parks Policy Plan*)

Minnesota Statute 473.313, Subdivision 2 authorizes the Metropolitan Council to review, with the advice of the Metropolitan Parks and Open Space Commission, master plans for the regional park system. Plans are reviewed for their consistency with the *2030 Regional Parks Policy Plan*. If a master plan is not consistent with Council policy, the Council should return the plan to the implementing agency with its comments for revision and resubmittal.

Minnesota Statute Section 473.315 authorizes the "Metropolitan Council with the advice of the Metropolitan Parks and Open Space Commission to make grants from

any funds available to it for recreation open space purposes to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the [Regional Recreation Open Space] Policy Plan”.

MASTER PLAN ANALYSIS

1) Boundaries and Acquisition Costs

The boundary amendment would incorporate 2.89 acres of the Scherer Lumber Company parcel within the boundary of Above the Falls Regional Park. Figure 1 depicts the land in context of the current boundary for the park.

Figure 1: Scherer Lumber Co. Parcel in Context of Boundary for Above the Falls Regional Park

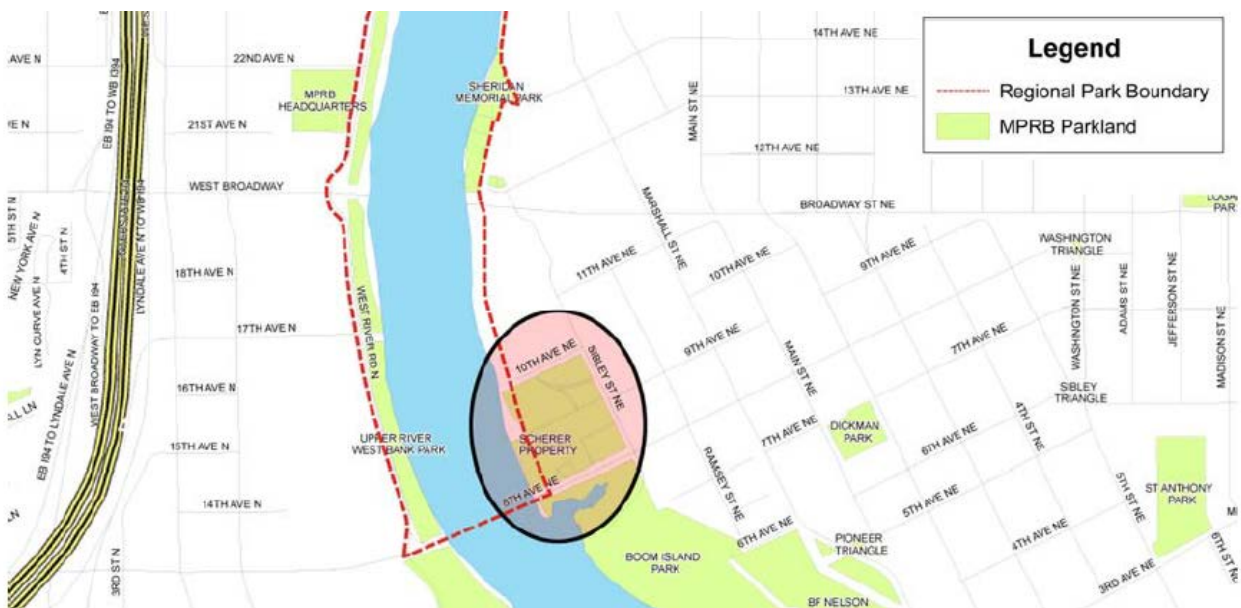
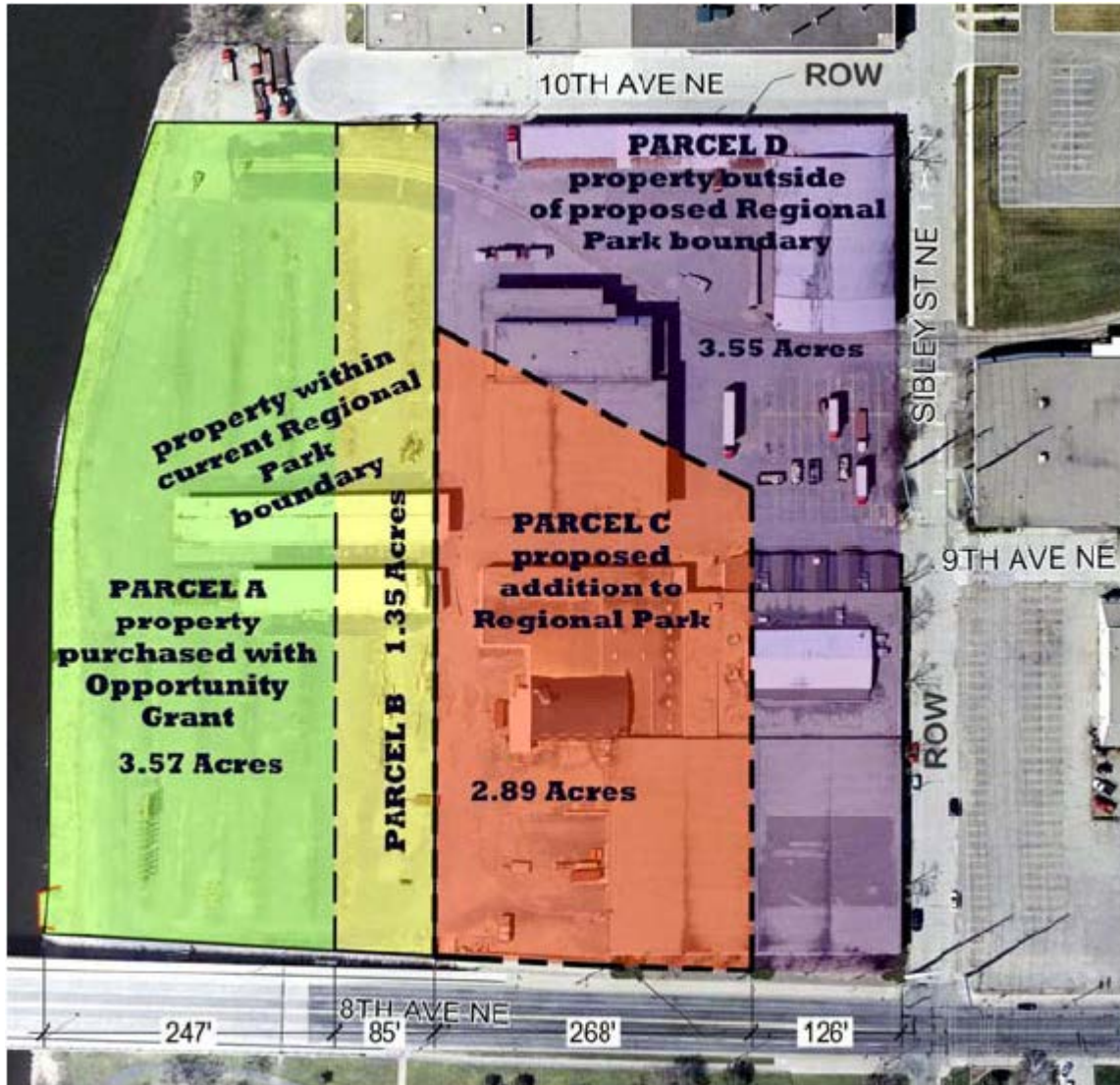


Figure 2 illustrates more details on land that is within the current boundary and the amended boundary. A portion of the land within the current boundary (Parcel A, 3.57 acres) was financed with a 2010 Park Acquisition Opportunity Fund grant and match provided by the Minneapolis Park & Rec. Board. Parcel B, 1.35 acres is also within the park's current boundary. Parcel C, 2.89 acres is proposed to be added to the park. Parcel D, 3.55 acres will remain outside the park's boundary.

Figure 2: Scherer Lumber Co. Parcel in Context of Existing and Amended Boundary for Above the Falls Regional Park



The acquisition costs for the land within the amended boundary are depicted in Table 1.

Table 1: Parcel Costs for Scherer Lumber Company Property within Amended Boundary of Above the Falls Regional Park

Parcels	Acreage	Percent of Acq. Costs	Pro-rated Acq. Costs
Parcel A (purchased with 2010 Park Acquisition Opportunity Grant and matching funds from Mpls. Park & Rec. Bd.)	3.57	45.71%	\$2,439,879
Parcel B (land within existing park boundary)	1.35	17.29%	\$ 922,643
Parcel C (proposed addition to Regional Park)	2.89	37.00%	\$1,976,327
Total	7.81	100%	\$5,338,849

The financing for parcels B and C is from the Minneapolis Park & Rec. Board's share of Parks and Trails Legacy Fund appropriations. This is consistent with legislation enacted in 2010 as follows:

"The Minneapolis Park and Recreation Board may acquire the entire property known as the Scherer Brothers Lumber Yard for a metropolitan area regional park and may allocate any future appropriations to the board from the parks and trails fund to acquire the property." [Laws of MN 2010, Chapter 361, Article 3, Section 7].

The Parks and Trails Legacy Fund appropriations proposed to finance Parcel B and Parcel C are shown in Table 2:

Table 2: Parks and Trails Legacy Fund Grants for Parcels B and C

Parcel	Cost	Parks & Trails Legacy Fund	Grant
Parcel B	\$ 922,643	FY 2012	\$1,469,000
Parcel C	\$1,976,327	FY 2013	\$1,429,970
Total	\$2,898,970	Total	\$2,898,970

2) Stewardship Plan

Existing buildings on the site were removed in 2011. All hazardous building materials were abated according to State and Federal regulations. Soil remediation to clean up contaminated soils is being done under Minnesota Pollution Control Agency's Voluntary Investigation and Clean Up Program. The estimated clean-up cost is \$1.5 million for the entire 11.36 acres that includes land within and outside the park boundary. This cost is being financed with a \$1 million sub-grant from Hennepin

County Department of Environmental Services and \$500,000 from Hennepin County's Emergency Remediation Fund.

Pending final design and development of the park, there will be a no-mow grass cover planted on the land. The site's grading was done to prevent erosion and to detain stormwater runoff before it enters the Mississippi River.

3) Demand Forecast

The master plan amendment includes annual visitation data on the Central Mississippi Riverfront Regional Park and Mississippi Gorge Regional Park which are downriver from Above the Falls Regional Park to provide context on the demand and visitation for Above the Falls Regional Park. Annual visits to Central Mississippi Riverfront are about 1.6 million and visits to the Minneapolis portion of Mississippi Gorge Regional Park are about 1 million. The visitation level has increased a bit for Central Mississippi Riverfront and remained relatively constant for Mississippi Gorge.

The visitation levels for urban recreational trails linking to Above the Falls Regional Park is consistent with the MN Dept. of Natural Resources report *Ten Year Forecasts—of Minnesota Adult Outdoor Recreation Activities 2004-2014* which states that walking, hiking, and bicycling will remain steady or increase over this time period.

The National Park Service is spending \$1.5 million to improve alternative transportation options (pedestrian and bicycling) within the Mississippi National River and Recreation Area corridor that includes Above the Falls Regional Park and other regional parks and trails along the 72 mile corridor. This includes adding bicycle rental stations, improved way finding signage and enhanced programs. This initiative along with development of the Above the Falls Regional Park will increase visitation to the park.

4) Development Concept

A plan called *Riverfirst*, which is a park design proposal and implementation framework for the Minneapolis upper-riverfront is the basis for the development concept on this site. At the Scherer Lumber Company site, *Riverfirst* proposes a public swimming beach, carry-in boat access, and pedestrian bridges to a man-made island which once was on this stretch of the river adjacent to the Scherer Lumber Company site. An artist's rendering of this proposal is shown in Figure 3. The highlighted area is the 2.89 acre Parcel C proposed in the boundary amendment.

Figure 3: Artists' rendering design for Scherer Lumber Company site in Above the Falls Regional Park



The estimated cost to develop this portion of Above the Falls Regional Park is \$23.3 million as shown in Table 3. It should be noted that re-creating Hall's Island accounts for \$10 to \$12 million of the total cost. The costs will be refined further in the updated master plan for the entire Above the Falls Regional Park and through schematic design, and permit scoping for specific projects. The updated master plan is expected to be completed in early 2013.

Table 3: Estimated Development Costs for Scherer Lumber Co. Site of Above the Falls Regional Park

Item	Estimated Cost
Park development including creating Hall's Island (details to be provided in master plan updated for the entire park)	\$ 13,611,500
Bridge construction to Hall's Island	\$ 600,000
Subtotal	\$14,211,500
Cost Escalation over four years (Assumed 4% per year)	\$ 1,989,610
Soft costs (final design, engineering, and permitting) 20%	\$ 3,240,222
Contingency (unexpected expenses which occur during implementation) 20%	\$ 3,888,266
GRAND TOTAL	\$23,329,598

5) Conflicts

The master plan amendment states that it does not conflict with existing or proposed projects on the site. The entire site (what is within and adjacent to the amended park boundary) is owned by the Minneapolis Park & Rec. Board and is bounded on three sides by City of Minneapolis street right of way. The site is currently zoned "Industrial: I2". Park use is a permitted use in this zoning classification.

6) Public Services

The amended park boundary will not require utility expansion. The site is served by existing public and private utilities. Installation of new service points and internal utility lines will be completed following final site design, that will occur after the Above the Falls Regional Park master plan is updated in concert with the City of Minneapolis and approved by the Metro Council. There is public transportation service available at this time with nearby service from several Metro Transit bus routes.

7) Operations

The master plan amendment references the average annual cost to operate a beach of \$25,000 based on its costs to operate and maintain 13 beaches, with a notation that this beach due to its riverfront location would likely cost more. The costs will be refined during the schematic design process in creating the updated park master plan. In addition to the beach, this part of the park would accommodate special programs such as movies, festivals and other large gatherings. Such events are typically self-funded via user fees, grants or in-kind partnerships with the event organizer.

8) Citizen Participation

The master plan amendment describes the public participation process followed to create the *Riverfirst* plan. The process included:

- Review and comment by the National Park Service, U. S. Army Corps of Engineers, MN Dept. of Natural Resources, Mississippi Watershed Management Organization and the City of Minneapolis.
- 42 community meetings
- 29 "Youth Ambassador" events in which Park Board staff worked with paid youth interns to host informational tables, solicit public comment and answer questions about the *Riverfirst* plan.
- 3 formal Advisory Committees were created comprised of community organization representatives, business owners, agency staff and elected officials.
- Letters of support from dozens of community groups, major public institutions, and partner organizations.
- Extensive media placement in print, broadcast and social media, with information about the opportunity for public comment.
- Approval of the *Riverfirst* plan by the Mpls. Park & Rec. Board on March 21, 2012.

Updating the master plan for the entire park will include informational meetings and news releases, participatory public meetings, comment periods and public hearings.

9) Public Awareness

Following development of this and other lands for Above the Falls Regional Park, press releases, public announcements and grand opening events are anticipated. Other avenues for public awareness are the Mpls. Park Board's web site, *Summer Guide* mailer and ActivNet online reservation system partner agency promotions.

9) Accessibility

All facilities proposed within the master plan amendment will be developed in accordance with Americans with Disabilities Act requirements. Other local guidelines such as the MN Dept. of Transportation's Bicycle Transportation and Planning Guidelines publication will be used when developing pedestrian and bicycle trails.

10) Natural Resources

This urban site has been under industrial uses for over 100 years. The soil contamination has been remediated. The *Riverfirst* plan proposes a beach on the river, with a restored island and riparian edge that contains native plants to provide habitat for the Mississippi River migratory bird flyway.

The updated master plan for the entire park will contain cost estimates for natural resource restoration.

REVIEW BY OTHER COUNCIL DIVISIONS:

Environmental Services (Anna Bessel)

We completed our review of the expansion plan for the Above the Falls Regional Park. We found that the expansion will not result in any negative impact to our facilities; therefore, we have no objections to the plan.

Environmental Services (Jim Larsen)

The plan is complete. I have no comments.

Metropolitan Council Transportation (Ann Braden)

The plan is complete. I have no comments.

CONCLUSIONS:

1. In conformance with the *Updated 2030 Regional Parks Policy Plan*, the amendment to the Above the Falls Regional Park master plan regarding the Scherer Lumber Company site (Referral No. 50025-1) provides details on estimated costs related to the boundary amendments acquisition and development. The master plan amendment is complete and consistent with the requirements for master plans in the *Updated 2030 Regional Parks Policy Plan*.

2. Acquisition costs for the amended park boundary area (Parcel C) and adjacent Parcel B is \$2,898,970. This will be financed with Park and Trails Legacy Fund appropriations to the Minneapolis Park & Rec. Board as part of their share of the appropriations to the Metropolitan Regional Park System. Funds from the FY 2012 and FY 2013 are available for granting to finance this cost.

3. Development of the amended park boundary area and a proposed man-made island is estimated to cost \$23,329,598 under the assumption of annual inflation of 4%, plus contingency and soft costs of 40%. More refined costs will be provided in an updated master plan for the entire Above the Falls Regional Park, which is projected to be completed in early 2013. A portion of these costs within the constraints of the Metropolitan Council Regional Park Capital Improvement Program (CIP) are eligible for funding consideration from the CIP when the updated master plan is approved by the Metropolitan Council. However, Council approval of the updated master plan does not obligate future funding from the Regional Parks CIP to finance those costs. Plan approval only allows the Minneapolis Park & Rec. Board to seek funding for projects in the plan through the Regional Parks CIP.

RECOMMENDATIONS:

That the Metropolitan Council:

1. Approve the Above the Falls Regional Park Master Plan Amendment regarding the Scherer Lumber Company Site (Referral No. 50024-1).

2. Approve the following grants from the Minneapolis Park & Recreation Board's share of FY 2012 and FY 2013 Parks and Trails Legacy Fund appropriations to finance the acquisition costs of Parcels B and C as depicted in Figure 2.

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